



April 3, 2007

Darroll Hargraves
Chairman
Local Boundary Commission
550 West Seventh Ave., Suite 1760
Anchorage, Alaska 99501

Re: Proposed regulation changes relating to municipal boundaries
(File No. 993-07-0095)

Dear Chairman Hargraves,

Our association is writing in hopes of dissuading the Local Boundary Commission from adopting AS 14.12.025 and AS 14.17.250 (a) as criteria for formation of new boroughs or first-class cities. Our reasons are as follows:

AS 14.12.025 establishes as a minimum standard an enrollment of 250 students before the State of Alaska will consider a petition for formation of a school district. The same statute allows the commissioner of Education & Early Development to waive the minimum standard if it is in the best interest of the state and the proposed school district.

Under the proposed regulations before the commission, the 250-student minimum would be established as a presumptive prohibition against reclassifying a second-class city as a first-class city, and no provision would be made for a waiver allowing a first-class city containing a school district with an enrollment under 250.

Our association would caution the commission against adopting such a prohibition. As you may know, the Department of Education & Early Development currently lists 14 school districts in Alaska with fewer than 250 students. What you may not know is that several of them are among the top performing districts in the state in regard to student achievement. Small or declining enrollment does not equate to academic decline.

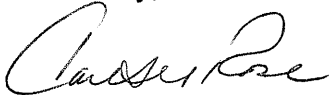
As a sparsely populated state, Alaska is home to many local governments and school districts that are challenged by distance and economics. The school foundation funding formula for K-12 education recognizes this fact of Alaska life by including an Area Cost Factor to equalize state financial assistance between low- and high-cost attendance areas. The same formula, under AS 14.17.250

(a), also requires districts to dedicate 70 percent or more of operating funds for instructional needs, unless the commissioner and Board of Education & Early Development waive the requirement.

Since the 70 percent rule was enacted in 1998, EED has worked with districts to achieve compliance but recognized that escalating fixed costs will always keep a number of school districts from reaching the 70 percent goal. More significantly, the state and the federal government have since adopted other, more effective means of measuring student achievement, including benchmark testing in grades three through 10 and the high school qualifying exit exam in grades 11 and 12. As you may know, the EED board voted in January to request the Legislature to repeal AS 14.17.250 (a) because it is outmoded as a guarantee of academic achievement and has evolved into a largely meaningless paper exercise.

Our association wishes the Local Boundary Commission well in its rewriting of regulations on municipal formation. We would encourage the commission to adopt criteria that are realistic and reflect the state we live in today.

Sincerely,

A handwritten signature in cursive script, appearing to read "Carl Rose".

Carl Rose
Executive Director

cc: Administrative Regulation Review Committee
Commissioner Notti
Alaska Municipal League